

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

FREDERICK B. WILLIAMS,

Petitioner,

v.

JAMES SHERMAN,

Respondent.

Civil Action No. 05-177 Erie

**MEMORANDUM ORDER**

This habeas corpus action was received by the Clerk of Court on June 7, 2005, and was referred to United States Magistrate Judge Susan Paradise Baxter for report and recommendation in accordance with the Magistrates Act, 28 U.S.C. § 636(b)(1), and Rules 72.1.3 and 72.1.4 of the Local Rules for Magistrates.

The Magistrate Judge's Report and Recommendation [Doc. No. 11], filed on October 27, 2005, recommended that the petition for writ of habeas corpus [Doc. No. 4] be denied. The parties were allowed ten (10) days from the date of service to file objections. Service was made on Petitioner by certified mail and on Respondent. Petitioner filed objections on November 10, 2005 [Doc. No. 12]. After de novo review of the petition and documents in the case, together with the Report and Recommendation and objections thereto, the following order is entered:

AND NOW, this 14<sup>th</sup> day of November, 2005;

IT IS HEREBY ORDERED that the petition for writ of habeas corpus [Doc. No. 4] is DENIED.

The Report and Recommendation [Doc. No. 11] of Magistrate Judge Baxter, filed on October 27, 2005, is adopted as the opinion of the Court.

s/ Sean J. McLaughlin  
United States District Judge

cm: All parties of record  
Susan Paradise Baxter, U.S. Magistrate Judge